

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

KAREN DONALDSON, §
PLAINTIFF, §
§
V. § CAUSE NO. 4:12-cv-00255-RC-ALM
§
FIRST NATIONAL COLLECTION BUREAU §
INC., and JOHN DOES 1-20 §
DEFENDANTS. §

DEFENDANT FIRST NATIONAL COLLECTION BUREAU, INC'S
ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, First National Collection Bureau, Inc., the Defendant herein, and files its Original Answer and would respectfully show unto the Court as follows:

I. Answer

1. Defendant admits Plaintiff alleges FDCPA violations in Paragraph No. 1, but denies it violated the statute.
2. Defendant admits that as a corporation it can act only through agents and employees who act within the scope of their authority. Defendant denies Paragraph No. 2.
3. Defendant admits Paragraph No. 3.
4. Defendant admits Paragraph No. 4.
5. Defendant does not know where Plaintiff is located so cannot admit or deny Paragraph No. 5.
6. Defendant is without sufficient information to admit or deny Paragraph No. 6.
7. Defendant is without sufficient information to admit or deny Paragraph No. 7.
8. Defendant admits it is a debt collector but is unable to admit or deny Paragraph 8.
9. Defendant admits Paragraph No. 9.

10. Defendant is without sufficient information to admit or deny Paragraph No. 10.
11. Defendant admits it contacted Plaintiff regarding a debt.
12. Defendant denies Paragraph No. 12.
13. Defendant admits Paragraph No. 13.
14. Defendant admits it placed calls to Plaintiff as referenced in Paragraph No. 14, but is unable to determine the specific line that would have been used.
15. Defendant admits it made calls to Plaintiff, but denies that anyone called Plaintiff a name as alleged in Paragraph No. 15.
16. Defendant admits it made calls to Plaintiff, but denies that anyone called Plaintiff a name as alleged in Paragraph No. 16.
17. Defendant admits it made calls to Plaintiff, but denies that anyone called Plaintiff a name as alleged in Paragraph No. 17.
18. Defendant denies Paragraph No. 18.
19. Defendant denies Paragraph No. 19.
20. Defendant denies Paragraph No. 20.
21. Defendant denies Paragraph No. 21.
22. Defendant denies Paragraph No. 22.
23. Defendant denies Paragraph No. 23.
24. Defendant denies Paragraph No. 24.

II. Affirmative Defenses

25. Any violation, if it occurred, was result of a *bona fide error*.
26. Plaintiff has failed to mitigate damages.
27. Plaintiff's damages are the results of actions of third parties over whom this Defendant has no control.

Respectfully submitted,

ROBBIE MALONE, PLLC

/s/ ROBBIE MALONE
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded via ECF on this 16 day of May, 2012 to:

Ryan Lee
Krohn & Moss, Ltd
10474 Santa Monica Blvd.
Suite 401
Los Angeles, CA 90025

/s/ ROBBIE MALONE
ROBBIE MALONE